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**Attorneys for Defendant**  
**ABBOTT LABORATORIES**

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

IN RE ABBOTT LABS NORVIR	) No. C-04-1511 CW
ANTITRUST LITIGATION	)
	) <b>STIPULATION EXTENDING DATE TO</b>
	) <b>CONDUCT SETTLEMENT CONFERENCE</b>
	) <b>AND TO SUBMIT PROPOSED</b>
	) <b>REVISIONS TO THE LITIGATION</b>
	) <b>SCHEDULE, AND ORDER THEREON</b>
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C-04-1511 CW STIPULATION EXTENDING DATE TO CONDUCT SETTLEMENT  
CONFERENCE AND TO SUBMIT PROPOSED REVISIONS TO LITIGATION SCHEDULE,  
AND [PROPOSED] ORDER THEREON

**RECITALS**

WHEREAS, in the Court's Minute Order dated April 7, 2006, the Court directed the parties to return to Magistrate Judge Larson for a settlement conference within 30 days of the Court's summary judgment order issuing, or as soon thereafter as was convenient to Judge Larson's calendar.

WHEREAS, on July 6, 2006, the Court issued an order denying Abbott's renewed motion for summary judgment.

WHEREAS, starting on July 10, 2006, the parties have worked with Magistrate Judge Larson's chambers to set a settlement conference date.

WHEREAS, due to scheduling conflicts among the parties and the Magistrate Judge, and the desire to make it possible for the principals to attend in order to make the conference more productive, it appears that November 8, 2006 is now the earliest possible date for a settlement conference with the Magistrate Judge to occur.

WHEREAS, in an attempt to advance the settlement process and to lay the groundwork for the settlement conference with the Magistrate Judge, the parties intend to meet with each other on September 26, 2006 in New York City for the purpose of engaging in preliminary settlement discussions

WHEREAS, the Minute Order contemplated that for scheduling reasons it might not be possible for the settlement conference to occur within 30 days of the summary judgment order; however, the parties wanted the Court to be aware of this unavoidable delay.

WHEREAS, the parties wanted to alert the Court that in light of the recent summary judgment order and Abbott's identification of additional patents it intends to assert, the parties are working together to propose a revised litigation schedule for the Court's consideration. The parties anticipate submitting a new proposed schedule to the court within the next ten (10) days.

**STIPULATION**

NOW, THEREFORE, it is hereby stipulated among the parties that:

1           1.       The parties shall participate in a settlement conference before Magistrate Judge  
2 Larson on November 8, 2006.

3           2.       The parties shall submit a new proposed litigation schedule to the Court within ten  
4 (10) days of the date of this Stipulation.

5 Dated: August 14, 2006

Respectfully submitted,

6                   **BERMAN DEVALERIO PEASE TABACCO**  
7                   **BURT & PUCILLO**

8  
9 By: /s/ Christopher T. Heffelfinger  
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Dated: August 14, 2006

Respectfully submitted,

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**Attorneys for Defendant  
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**ORDER**

IT IS SO ORDERED.

Dated: August 22, 2006

/s/ CLAUDIA WILKEN

\_\_\_\_\_  
United States District Judge